

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

**BARBARA DIKE,**  
**Plaintiff**

**VS.**

**HERSCHBACH PETROLEUM  
COMPANY, LTD. and  
FREDERICK J. HERSCHBACH  
Defendants**

§  
§  
§  
§  
§  
§  
§  
§

**CIVIL ACTION NO. 2:13-cv-00682  
JURY DEMANDED**

**MOTION TO DISMISS WITH PREJUDICE**

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW, Barbara Dike, Plaintiff in the above entitled and numbered cause, moves the Court to dismiss the cause.

1. Plaintiff no longer desires to prosecute this civil action against Defendants Herschbach Petroleum Company, Ltd. and Frederick J. Herschbach as any and all claims and causes of action between the Parties have been resolved. Plaintiff requests this civil action be dismissed with prejudice to the rights of Plaintiff to file the same, or any part thereof, against Defendants. The parties requests that each party bear their own costs, expenses and attorney's fees.

WHEREFORE, Plaintiff requests that the Court enter its order dismissing said cause with prejudice to the rights of Plaintiff to refile same or any part thereof, and that all costs of Court be taxed against party incurring same.

Respectfully submitted,

/s/  
William S. Hommel, Jr.  
State Bar No. 09934250  
Hommel Law Firm

1404 Rice Road, Suite 200  
Tyler, Texas 75703  
903/596-7100  
469/533-1618 Facsimile

ATTORNEY FOR PLAINTIFF

**CERTIFICATE OF SERVICE**

I hereby certify that a true copy of the above and foregoing instrument has been served on all counsel of record through PACER on this 6<sup>th</sup> day of August, 2014.

/s/  
William S. Hommel, Jr.